

EXHIBIT L

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Carmen T. Mullen, Fourteenth Judicial Circuit Court Judge

Case No.: 2015-CP-07-239

E. PERRY BURRUS, M.D. Appellant

-vs-

JENNIFER R. BERGMANN Respondent

NOTICE OF APPEAL

E. Perry Burrus, M.D. hereby appeals the following Orders of The Honorable
Carmen T. Mullen:

- 1) Order granting Defendant's Motions to Dismiss, dated January 8, 2016; and
- 2) Order denying Plaintiff's Motion for Reconsideration and Plaintiff's Motion for a Hearing on the Motion to Reconsider, dated March 7, 2016.

A copy of the referenced Orders are attached hereto. Appellant received written notice of the entry of the Order denying their motion for reconsideration on March 16, 2016.

BY: 
TWENGE + TWOMBLY LAW FIRM
J. ASHLEY TWOMBLY
311 Carteret Street, Beaufort, SC 29902
Telephone: (843) 982-0100
Facsimile: (843) 982-0103
twombly@twlawfirm.com
Attorneys for Appellant

Beaufort, South Carolina
April 14, 2016

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Carmen T. Mullen, Fourteenth Judicial Circuit Court Judge

Case No.: 2015-CP-07-239

E. PERRY BURRUS, M.D. Appellant

-VS-

JENNIFER R. BERGMANN Respondent

CERTIFICATE OF SERVICE

The undersigned, Andrea Smith, hereby avers that she is a Paralegal with
TWENGE + TWOMBLEY LAW FIRM, Attorneys for Appellant, and that on the 14th
day of April 2016 a true and accurate copy of the attached Notice of Appeal was placed
in an envelope with first class postage thereon prepaid through the United States Postal
Service and mailed to the following:

Marshall L. Horton, Esquire
Lindsay Y. Goodman, Esquire
Horton Law Firm, LLC
P.O. Box 3766, Bluffton, SC 29910
Telephone: (843) 757-6190
Facsimile: (843) 757-6191
mlh@hortonlawfirmllc.com
lyg@hortonlawfirmllc.com
Attorney for Respondent, Jennifer R. Bergmann

BY:



Andrea Smith, Paralegal to
TWENGE + TWOMBLEY LAW FIRM

EXHIBIT A

FORM 4

**STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE
CASE NUMBER 2015CP0700239**

E Perry Burrus

Burrus E Perry M D

Jennifer R Bergmann

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Lindsay Yoas Goodman

Attorney for: ☐ Plaintiff ☒ Defendant
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit);
☐ Rule 43(k), SCRCP (Settled); ☐ Other: _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j) SCRCP; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other: _____
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order; (formal order to follow) ☒ Statement of Judgment by the Court:

ORDER INFORMATION

See attached order

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

| Judgment in Favor of (List name(s) below) | Judgment Against (List name(s) below) | Judgment Amount To be Enrolled (List amount(s) below) |
|--|--|--|
| | | |
| | | |
| | | |
| | | |

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

EXHIBIT A**Circuit Court Judge****Judge Code****Date****For Clerk of Court Office Use Only**

This judgment was entered on the 11th day of February, 2016, and a copy mailed first class or placed in the appropriate attorney's box on the 12th day of February, 2016, to attorneys of record or to parties (when appearing pro se) as follows:

James Ashley Twombly 311 Carteret St. Beaufort, SC
29902

Lindsay Yoss Goodman PO 3766 49 Boundary Street,
Second Floor Bluffton, SC 29910
Marshall L. Horton PO Box 3766 49 Boundary Street, 2Nd
Floor Bluffton, SC 29910

ATTORNEY(S) FOR THE PLAINTIFF(S)**ATTORNEY(S) FOR THE DEFENDANT(S)***Marlene Kinard -- Judicial Clerk***Court Reporter****Jerri Ann Roseneau - Clerk of Court****ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

EXHIBIT A

| | | |
|-------------------------|---|------------------------------|
| STATE OF SOUTH CAROLINA |) | IN THE COURT OF COMMON PLEAS |
| |) | FOURTEENTH JUDICIAL CIRCUIT |
| COUNTY OF BEAUFORT |) | CASE NO.: 2015-CP-07-239 |
| E. PERRY BURRUS, M.D., |) | |
| |) | |
| Plaintiff, |) | ORDER GRANTING DEFENDANT'S |
| |) | MOTION TO DISMISS |
| vs. |) | (with prejudice) |
| |) | |
| JENNIFER R. BERGMANN, |) | |
| |) | |
| Defendants. |) | |

2016 FEB 11 PM 4:02
CLERK OF COURT
JENNIFER R. BERGMANN

This matter came before the Court on January 15, 2016, pursuant to the Defendant's Motion to Dismiss filed November 24, 2015. Present at the current hearing was the Plaintiff, Burrus, J. Ashley Twombly, attorney for Plaintiff; Defendant, Jennifer Bergmann and Marshall L. Horton, Esquire attorney for Defendant.

Plaintiff filed his Summons and Complaint on February 3, 2014 and Defendant served her timely Answer on March 27, 2015.

Notice of this current hearing was provided to the Plaintiff via regular U.S. Mail sent on December 21, 2015. All pleadings and motions have been properly served.

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. This honorable Court has subject matter jurisdiction over the issues raised in the pleadings, personal jurisdiction over the parties to this action, and venue is proper.

EXHIBIT A

2. Plaintiff's Complaint sets forth two causes of action; one cause of action seeking an injunction related to alleged forgery by the Defendant, and a second cause of action based in forgery. The Defendant does not raise any counterclaims in her pleadings.

3. There is no civil cause of action based in forgery in South Carolina. As such, there are no causes of action pled in the Plaintiff's complaint that can constitute a legal cause of action.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

- A. Plaintiff's civil forgery claim is dismissed, with prejudice; and
- B. All outstanding motions are hereby denied and this is a Final Order dismissing this case.

AND IT IS SO ORDERED



The Honorable Carmen T. Mullen
Circuit Court Judge for the 14th Judicial Circuit

Beaufort, South Carolina
This 8 day of January, 2016

FORM 4

EXHIBIT B

STATE OF SOUTH CAROLINA
COUNTY OF Beaufort
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2015 CP-07-00239

E. Perry Burrus, MD

Jennifer R. Bergmann

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Leigh Ellen Gray

Attorney for: ☐ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court: Plaintiff's Motion for Reconsideration and Plaintiff's Motion for a Hearing on the Motion to Reconsider are hereby denied.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk:

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

| Judgment in Favor of (List name(s) below) | Judgment Against (List name(s) below) | Judgment Amount To be Enrolled (List amount(s) below) |
|--|--|--|
| | | \$ |
| | | \$ |
| | | \$ |

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

2142

Judge Code

Date

3/7/16

This judgment was entered on the 15 day of Mar, 20 16 and a copy mailed first class or placed in the appropriate attorney's box on this 16 day of Mar, 20 16 to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT STATE

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.